

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2462 - SB 2784

June 4, 2020

SUMMARY OF ORIGINAL BILL: Authorizes a parent or guardian of a student who has accumulated five or more days of unexcused absences during the school year, and who is subject to the local education agency's (LEA's) progressive truancy intervention, to withdraw the student from school if the withdrawal occurs in the first month of a school semester. Prohibits parents or guardians of a student from withdrawing the student during a month other than the first month of a school semester unless certain criteria are met.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (018170): Deletes all language after the enacting clause and rewrites the bill. Authorizes a parent or guardian of a student who has accumulated five or more days of unexcused absences during the school year, and who is subject to the local education agency's (LEA's) progressive truancy intervention, to withdraw the student from school if the withdrawal occurs in the first 30 days of a school semester. Prohibits parents or guardians of a student from withdrawing the student at any time other than the first 30 days of a school semester unless certain criteria are met.

Authorizes an LEA to develop a continuous learning plan (CLP) to allow an LEA to meet the school calendar and classroom instruction requirements, if necessary, due to the COVID-19 pandemic that began in the 2019-20 school year. Authorizes an LEA to utilize remote educational instruction strategies to protect the health and safety of the students, staff, and the community. Requires a CLP to be submitted and approved by the Department of Education (DOE) prior to the implementation of the 2020-21 school year or any subsequent school year. Requires the State Board of Education (SBE), in consultation with DOE, to promulgate rules and establish guidelines and requirements for CLPs. Requires the guidelines to provide LEAs with the flexibility to develop a CLP that allows remote educational instruction strategies or a mix of in-person and remote educational instructional strategies throughout the LEA, by school, grade, or for individual students.

Authorizes SBE to promulgate emergency rules to establish the guidelines and requirements necessary for an LEA to develop a CLP for the 2020-21 school year and to submit that CLP to DOE for approval. Requires DOE to determine whether a CLP is necessary due to the COVID-19 pandemic that began during the 2019-20 school year and whether the CLP complies with the rules and requirements. Prohibits the state from reducing the level of state or federal funding that an LEA would otherwise be eligible to receive due to the LEA's implementation of a CLP.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Other Fiscal Impact – The use of CLPs may require fewer or additional resources depending on the extent and duration of the remote educational instructional strategies employed by each LEA and may result in cost savings or additional expenditures. However, due to multiple unknown factors, including the variation in school size and district technological capabilities, a precise impact to local expenditures cannot be precisely estimated.

Assumptions for the bill as amended:

- The proposed legislation authorizes students who have accumulated five or more days of unexcused absences and who are subject to an LEA's progressive truancy intervention to be withdrawn from school under certain timing restrictions and criteria relating to change-of-residence and school transfers.
- Student enrollment is measured by average daily membership (ADM) and is the primary driver of funds generated by the BEP for the following fiscal year, the funding formula through which state education dollars are generated and distributed to Tennessee schools.
- The extent to which the proposed legislation may increase student withdrawals and transfers and subsequently affect BEP funding allocations cannot be accurately estimated; therefore, a precise impact to state and local government cannot be determined with reasonable certainty but is estimated to be not significant.
- The proposed legislation further authorizes LEAs to develop CLPs to meet the school calendar and classroom instruction requirements, if necessary, due to the COVID-19 pandemic that began in the 2019-20 school year.
- CLPs may include remote educational instruction strategies to protect the health of students, staff, and the community; a CLP that includes remote educational instruction may require a shift in resources in order for each LEA to implement the strategy.
- However, it is unknown how many LEAs may utilize a CLP and whether doing so would result in fewer or additional required resources.
- Due to the variation in school sizes and available resources within each LEA, including the specifics of any future CLP that may be approved, a precise impact to local expenditures cannot be reasonably determined.
- Total BEP funding will not be impacted as a result of the proposed legislation; therefore, no significant impact to state expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Krista Lee Carsner, Executive Director

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